



Minutes of the Regular Meeting of the Buena Vista Planning and Zoning Commission

April 20, 2016

CALL TO ORDER

A regular meeting of the Planning and Zoning Commission was called to order at 6:01pm, Wednesday, April 20, 2016 at the Buena Vista Community Center, Pinon Room, 715 E Main Street, Buena Vista, Colorado by Chair Trey Shelton. Also present were Commissioners Annie Davis, Scott Johnson, and Tim Bliss. Staff Present: Principal Planner Mark Doering, Planner I Scott Reynolds, and Deputy Town Clerk Melanie Jacobs.

PLEDGE OF ALLEGIANCE

Chair Shelton led in the Pledge of Allegiance.

ROLL CALL

Jacobs proceeded with the roll call and declared a quorum.

AGENDA ADOPTION

Shelton called for approval of the agenda. **Motion #1** by Davis seconded by Johnson to adopt the agenda as presented. Motion carried.

APPROVAL OF MINUTES

Bliss motioned for approval of the April 6, 2016 minutes. **Motion #2** was seconded by Shelton. Motion carried.

PUBLIC COMMENT

Shelton opened the public comment portion of the hearing at 6:03pm.

Steve Wartman of 29798 CR 353, Buena Vista, thanked the Planning Commission for having done its job in relation to the special use permit application at 102 Brookdale. He noted that the permit had been denied by the Board of Trustees, a decision that he did not understand given the Commission's recommendation to allow the special use and the fact that his application met all criteria for approval. He stated that some Commissioners had told him they wanted to resign from P & Z over the matter and he urged them not to do so. He encouraged them instead to attend the next Board of Trustees meeting, at which the resolution to deny the special use permit will be considered.

With no further comments received, the public comment portion of the hearing was closed at 6:05pm.

NEW BUSINESS

Selection of Vice-Chair / Alternate to Regular Member

Shelton reminded Commissioners that he would be gone for the next three meetings. Davis agreed to run the next meeting and possibly more if necessary. Johnson remarked that Larimer had expressed tentative interest in assuming the role of Vice-Chair and therefore might be willing to take over after May 4. The Commission asked that selection of a Vice-Chair be carried over to the next agenda.

Shelton asked Bliss if he would like to move up from alternate to regular member of the Commission; Bliss stated that he would. Davis motioned to make Bliss a regular member and Shelton seconded. **Motion #3** passed 3-0.

Discussion: Changing Commission meeting time

After brief discussion, Davis motioned to move Planning Commission meetings to 7:00pm beginning with the first meeting in May. Bliss seconded and **Motion #4** was approved 3-0.

Miller Holloway Minor Subdivision

Reynolds explained that the applicant was requesting approval to subdivide the lot at 723 Yale Avenue into two residential parcels. The property is located in the R-1 zone, and lot 2 already has a house on it. He projected an image of the subdivision plat onto the meeting room screen and then proceeded to go through the criteria for approval: 1) the application conforms to the requirements of the subdivision ordinance, 2) it meets the lot size specifications in the town's zoning ordinance, 3) adequate utility service/easements already exist, 4) no new rights-of-way are required, and ingress/egress and a water pump access easement are included on lot 1 for use of the property owner of lot 2, and 5) proper drainage control will have to be demonstrated at the time of lot development. Reynolds closed by stating that staff recommends approval of the application with the condition that the Final Plat will need to be corrected to the satisfaction of the Principal Planner.

Applicant Bill Miller of 723 Yale Avenue was present in the audience and rose to speak. In response to questions from the Commission, he explained that the water pump on the property belongs to and will serve only lot 2. An easement is being created on lot 1 to accommodate the pump, which feeds a sprinkler system in the backyard of lot 2.

After ascertaining that Commissioners had no further questions, Shelton closed the public hearing. Davis stated that she found the application to be pretty straightforward and other Commission members concurred with this assessment.

Davis motioned to recommend approval of the Miller Holloway Subdivision Final Plat, with the condition that prior to recordation of the Final Plat, the Final Plat drawings shall be corrected to the satisfaction of the Principal Planner. Bliss seconded. **Motion #5** carried 3-0.

The applicant asked Doering what kind of corrections the plat required; Doering replied that he would talk to the surveyor about them, and that they were of a technical nature and would not alter the plan in any way.

STAFF / COMMISSION INTERACTION

Doering informed the Commission that a flood risk open house would take place at the Community Center on April 27. FEMA has done a new Flood Insurance Study (FIS) and is updating its Flood Insurance Rate Map (FIRM). The new map will be available for viewing beginning at 5:30pm and FEMA representatives will give a presentation at 6:00pm. The 90-day appeal period has already begun, and when it concludes FEMA will adopt the new map. Any appeals to the study's findings must be scientific or technical in nature; other types of objections are considered to be 'comments.' Once FEMA adopts the updated map, Buena Vista will have six months to do likewise in order to avoid running afoul of federal regulations. Doering stated that the new map will have significant effects on some Buena Vista property owners, as the floodplain has shifted position since the last such map was adopted in 1982 and prior maps have not included floodway designation. Johnson asked if flood risk could be mitigated by installing levies upstream on Cottonwood Creek, and Doering replied that this probably would not be possible as

any such levies would need to be located outside of town limits. He suggested that this question be brought up at the meeting on Wednesday.

Doering let the Commission know that Reynolds will be giving presentations at meetings on a fairly regular basis in the future, as the volume of projects coming in has made it necessary for them to divide the workload.

Johnson stated that he was resigning from the Commission effective immediately. He cited family and business obligations as the primary reason for his decision, but indicated that the Trustees' denial of the special use permit at 102 Brookdale also played a significant role in his thought process. He does not understand why this happened and believes that it is a pointless exercise to require citizens to go through the town's approval procedure if the Trustees are going to ignore the recommendations of the Planning Commission and town staff. He thinks the Board of Trustees should honor the town's process. Johnson indicated that it had been a pleasure to serve on the Commission.

Doering expressed regret at Johnson's decision and stated that he was trying to introduce some changes in the development process to the updated UDC. Specifically, he would like the Planning Commission to make the final determination on special use applications. He would also like Commission hearings to be publicly noticed even when the project under discussion moves on to the Board of Trustees for final approval; the current code requires public notice of only those hearings at which final decisions are made.



Doering let Commissioners know that he is looking for appropriate training sessions for them and will advise them as he locates such opportunities.

Commission members thanked Johnson for his service. Davis and Bliss agreed with his frustrations regarding the Board of Trustees decision.

ADJOURNMENT

There being no further business to come before the Commission, Commissioner Davis motioned to adjourn the meeting at 7:06pm. Commissioner Johnson seconded. **Motion #6** was unanimously approved.

Respectfully submitted:


Trey Shelton, Chair
Melanie Jacobs, Deputy Town Clerk